

MINUTES

HOUSE & SENATE INTERIM COMMITTEES ON PUBLIC HEALTH, WELFARE AND LABOR

December 7, 2015

The House and Senate Interim Committees on Public Health, Welfare and Labor met Monday, December 7, 2015 at 1:00 p.m. in Room 171 of the State Capitol, Little Rock, Arkansas.

Public Health Senate Members Attending Were: Senators Stephanie Flowers, Vice Chair; and John Cooper.

Public Health House Members Attending Were: Representatives Kelley Linck, Chair; Deborah Ferguson, Vice Chair; Mary Bentley, Ken Bragg, David Branscum, Charlene Fite, Kim Hammer, Ken Henderson, Fredrick Love, Stephen Magie, David Meeks, Josh Miller, Betty Overbey, John Payton, Dan Sullivan, and Jeff Wardlaw.

Other Legislators Attending Were: Senators Linda Chesterfield, Alan Clark, Terry Rice, and Eddie Joe Williams. Representatives Scott Baltz, Nate Bell, Charlotte Vining Douglas, Trevor Drown, Jon Eubanks, Kenneth Ferguson, Lanny Fite, Jeremy Gillam, Mark McElroy, George McGill, Sue Scott, James Sorvillo, and Marshall Wright.

Comments by the Chairs

Representative Kelley Linck called the meeting to order.

Consideration to Approve the Minutes from the November 18, 2015 Meeting (EXHIBIT C)

Without objection the minutes from the November 18, 2015 meeting were approved.

Waste Tire Disposal Laws in Southern States (*Handout #1*)

Anne Roberts Brody, Policy Analyst, Southern Legislative Conference, gave a brief overview of the purpose, duties, and history of the Southern Legislative Conference (SLC), and the parent organization of SLC, The Council of State Governments, founded in 1933.

Ms. Brody stated that even though states in the southern region of the United States have been trying to resolve the disposal of the piles of waste tires for about 20 years now, it still remains a problem. These waste tire piles draw mosquitoes, rodents, and are a real fire hazard. Most southern states assess a tire disposal fee on the sale of new tires as a means to fund the disposal of waste tires. Ms. Brody gave a brief description of the waste tire disposal laws in each southern state.

Ms. Brody's presentation showed how some states are recycling waste tires into products such as floor mats, belts, gaskets, dock bumpers, highway crash barriers, tire swings, planters, miscellaneous agricultural uses, industry fuel, and highway construction. Fourteen of the fifteen states in the southern region have put a clear-cut system in place to track waste tires. These tracking records are required to be available for inspection for a period of 3 years. Representative Linck wanted to know which states offer amnesty programs for the disposal of waste tires, and Ms. Brody said she would provide this information to the committees.

Review of Arkansas Tire Recycling Program

Becky Keogh, Director, Department of Environmental Quality (ADEQ), and Marvin Steele (Former State Representative), Retail Tire Store Owner, discussed Arkansas's Waste Tire Recycling program.

Mr. Steele owns two retail tire stores in Memphis and two in Arkansas. The tire disposal fee in Tennessee is \$1.35 per tire (any tire) and in Arkansas it is \$2 for car tires and \$5.00 for truck tires. Mr. Steele explained in detail why:

- ◆ tire disposal fees are higher in Arkansas
- ◆ tire dealers are losing money when disposing of the used tires that result from the sale of new tires
- ◆ some dealers are dumping tires illegally

Mr. Steele supports the use of the Manifest System¹ by all tire dealers as an aid in tracking the location of disposed waste tires, and states that a possible solution for this issue is to charge a disposal fee on all waste tires and to find uses for waste tires. Ms. Brody previously mentioned many such uses.

Ms. Keogh presented the background of the legislative history of waste tire disposal in Arkansas from the first Waste Tire Grant Fund created in 1991 by the Arkansas Legislature (this established the standards on hauling, storage, disposal, and recycling of waste tires) and each successive legislative action down to the current date. She also further discussed Arkansas's waste tire disposal fees.

Elizabeth Hoover, Manager, Waste Tire Division, Arkansas Department of Environmental Quality, stated ADEQ provides management assistance and truck tire grants to the tire districts. Most of the districts do recycle all or a percentage of the tires, depending on the type of recycling equipment owned, or the district's ability to access equipment.

Representative Lanny Fite shared some useful information regarding waste tire disposal, and recommended that Arkansas adopt the Manifest System.

Update on Blue Oak Arkansas E-Waste Recycling Company (*Handout #2—3 Documents*)

George Hopkins, Executive Director, Arkansas Teacher Retirement System and the Chair of Blue Oak Arkansas, LLC; and Becky Keogh, Director, Department of Environmental Quality, discussed the use of precious metals (gold, silver, etc.) in electronic devices, and the need to recycle these precious metals out of discarded electronics. Mr. Hopkins stated that 300 tons of gold, along with other precious metals, are used annually in electronics worldwide, and he briefly described the E-waste recycling program at Blue Oak Arkansas.

As the first LEED certified e-scrap metal recycling facility in the world, Blue Oak was founded in 2011 with the help of the following investors, as over \$40 million was raised to build and make Blue Oak operational:

- ◆ Arkansas Teachers Retirement System
- ◆ KPCB (Kleiner Perkins Caufield Byers (a Silicon Valley venture capital firm))
- ◆ SMS (the largest metallurgical furnace supplier in the world)
- ◆ The State of Arkansas

Blue Oak's specially designed and developed plasma furnace (the first of its kind) provides the following advantages for recycling electronic scrap:

- ◆ Over 99% proven metal recovery
- ◆ High efficiency of destruction and removal of any pollutant byproducts
- ◆ 100% secure destruction of electronic scrap

Review of Audits of Solid Waste Management Districts (*Handout #3*)

Becky Keogh, Director, Department of Environmental Quality, briefly reviewed audit requirements for Solid Waste Management Districts, according to Arkansas Law, Statute A.C.A. § 8-6-704, and ADEQ Regulation #11. In addition, Statute A.C.A. § 8-6-704, D-5 states that, "failure to provide a full and complete audit report, as required by this subchapter, shall prohibit future distribution of revenue from funding programs that are administered by the department unless otherwise authorized by the director". (<http://www.lexisnexis.com/hottopics/arcodes/Default.asp>)

Comments from the Regional Solid Waste Districts

Andrew Armstrong, representing Southeast Arkansas Economic Development District and the Southeast Arkansas Solid Waste Regional District, spoke on behalf of all Solid Waste Regional District managers, presenting their perspective on solid waste disposal.

The meeting adjourned at 4:15 p.m.

¹The waste tire **Manifest System** program applies to all persons, businesses, nonprofits, and government agencies that generate, transport, or receive waste or used tires. Links on the left provide information on the Waste Tire Manifest Program. Below you will find more detailed descriptions on what is included on this website. [Waste Tire Management System \(WTMS\)](#). This secure database collects information about waste and used tire businesses from a variety of sources, including tire inspections. While access to WTMS is limited, some data is available to all tire businesses and the public. WTMS allows searching of all facilities/sites by multiple criteria, including location, TPID, etc. All inspection reports, whether they are submitted in paper format or electronically, can be viewed by approved tire enforcement agencies through the WTMS portal. <http://www.calrecycle.ca.gov/tires/manifest/>.